

Message Text

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ACTION EB-08

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FM AMEMBASSY BONN

TO SECSTATE WASHDC 0769

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E.O. 11652: N/A

TAGS: EAIR, GW, US

SUBJECT: CIVAIR: FRG REQUEST FOR CIVAIR NEGOTIATIONS

REF: A. STATE 187849 B. BONN 11739

EMBOFFS AUGUST 18 MADE POINTS REF A TO PAAS AND STUCKENBERG OF FEDERAL MINISTRY OF TRANSPORTATION (FMT). PAAS APPRECIATED THAT DEPARTMENT OFFICERS BUSY WITH OTHER COMMITMENTS, BUT HE FELT THAT GERMAN-US AVIATION RELATIONS WERE IMPORTANT, NOTED THAT THERE HAD BEEN NO GENERAL CONSULTATIONS SINCE 1970, AND SAID THERE WAS SOME URGENCY TO THE MATTER FROM THE GERMAN POINT OF VIEW.

2. PAAS SAID HE WAS NOT INVOKING ARTICLE 12 OF THE BILATERAL WHICH REQUIRES CONSULTATION WITHIN SIXTY DAYS OF A REQUEST BY EITHER PARTY, BUT RATHER REQUESTING UNDER SUB-PARAGRAPH 4 OF THAT ARTICLE AN EXCHANGE OF IDEAS BETWEEN AERONAUTICAL AUTHORITIES. ON THE GERMAN SIDE, THIS WOULD INCLUDE ONLY FMT OFFICIALS, AND IF THE USG WANTED ONLY CAB AND DOT PARTICIPATION, THE GERMAN SIDE WOULD NOT OBJECT.

3. PAAS ENVISAGED ONLY A TWO DAY MEETING WHICH HE THOUGHT MIGHT BE POSSIBLE TO SQUEEZE IN BETWEEN SOME
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OF THE LONGER CONSULTATIONS THE USG HAS SCHEDULED WITH OTHER GOVERNMENTS. THIS RELATIVELY INFORMAL MEETING WOULD EXPLORE THE NEED FOR AND SUBJECT MATTER OF A FORMAL CONSULTATION TO BE HELD LATER IF NECESSARY AND WOULD ENABLE THE TWO SIDES TO LEARN WHAT TO PREPARE FOR A SECOND MEETING. THE FRG IS PREPARED TO HOLD THE MEETING IN EITHER WASHINGTON OR BONN. PAAS AND STUCKEN-

BERG PUSHED STRONGLY FOR A MEETING IN OCTOBER OR NOVEMBER OF THIS YEAR.

4. STUCKENBERG CITED AS REASONS FOR THE URGENCY THE FMT ATTACHES TO CONSULTATIONS TWA'S IMMINENT RETURN TO GERMANY, THE NEW SITUATION THAT MAY FOLLOW THE TRANS-ATLANTIC ROUTE PROCEEDINGS WHICH MIGHT MEAN ADDITIONAL CARRIERS COMING TO GERMANY OR NEIGHBORING COUNTRIES, AND QUESTIONS ABOUT HOW US CARRIERS WILL USE THEIR REMAINING TRAFFIC RIGHTS UNDER BERMUDA II.

5. TO THE ASSERTION THAT THE US-UK AGREEMENT DID NOT CONSTITUTE A PATTERN FOR OTHER BI-LATERAL ARRANGEMENTS, PAAS REITERATED THAT THE PRESENT REQUEST FOR DISCUSSIONS WOULD HAVE COME WHETHER OR NOT THERE HAD BEEN A US-UK AGREEMENT. HE MAINTAINED, NEVERTHELESS, THAT THERE WERE SIMILARITIES BETWEEN THE TWO SITUATIONS. HE SAID BERMUDA II WAS A "MODERN" AIR AGREEMENT THAT ALL THE WORLD WAS LOOKING AT AND IT COULD NOT BE TOTALLY IGNORED. AT THE SAME TIME, THE FRG DID NOT SEEK THE SAME WORDING AND DESIRED CHANGES THAT WERE VERY MODEST COMPARED TO THE DEMANDS OF THE BRITISH AND OTHERS.

6. PAAS SAID THAT HIS REMARKS ABOUT THE RELATIVE PASSENGER VOLUME OF US AND GERMAN CARRIERS DID NOT MEAN THAT THE FRG WOULD ASK FOR FIXED MARKET SHARES. STUCKENBERG ELABORATED THAT WHAT THE FRG WANTED WAS LIMITED OFFICIAL USE

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FAIR AND EQUAL OPPORTUNITY FOR BOTH SIDES IN REGARD TO THIRD FOURTH AND FIFTH FREEDOMS. THERE SHOULD, HOWEVER, BE SOME CAPACITY REGULATION AND AIRLINES SHOULD BE PERMITTED "TO TALK ABOUT CAPACITY" TOGETHER. ACTION REQUESTED: DEPARTMENT PLEASE ADVISE ON REPLY TO FRG REQUEST FOR INFORMAL DISCUSSIONS THIS YEAR. STOESEL

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